

The goal of this bill is nothing short of the complete elimination of these racial and ethnic disparities. In this bill, we have assessed the foremost health care shortfalls of our current system, and provided sound and culturally conscious solutions.

1. We have called for an expansion of the health care safety net, which will increase access to quality health care coverage.

2. We state that health care be should be considered not only a human right but a civil right, and as such must be protected under the 1964 Civil Rights Act.

3. We ask for the widespread, comprehensive, collection and dissemination of health data on minorities to become a top priority for the health care community.

4. In order to appropriately target the diseases that are plaguing minority peoples, we must first make sure that we have an accurate picture of the challenge we are facing. And we must use this information to make sure that everyone is aware of these statistics, so they know the risks.

5. We ask for a complete assault on HIV/AIDS and other diseases that are disproportionately killing the minority community.

6. By enacting this bill, we correct a major problem in America: ending minority health disparities and diversify health care workforce.

Mr. Speaker, the issue here is that millions of Americans, half of whom are minorities, go undiagnosed and uncared for because they lack adequate health care.

Instead of privatizing social security and cutting Medicaid, our President should help African Americans, Latinos, Asian and Pacific Islanders and Native Americans live longer, healthier lives.

The President should not rely on the shorter life expectancy of African Americans or other minorities—he should fix the root of the problem—fix our health care system.

Mr. Speaker, it is our priority to stop the dangerous cycle of shorter life spans and poor quality, inaccessible health care for minorities in this country.

We stand committed because we cannot stand for continued rates of prostate and breast cancer, diabetes, and high blood pressure to take the lives of minority peoples around this country.

If we are to ensure that we are all equal, then we cannot ignore the inequalities inherent in our current health care system.

And finally, we cannot stand in the halls of this Congress and allow a prescription drug bill, an HIV/AIDS bill, or any other health bill pass that doesn't have a focus on African Americans, Latinos, Native Americans, or our Asian and Pacific Island communities.

Today, we are united for all minorities across this country, and we will win the battle against ethnic and racial health disparities.

#### WORKPLACE WRONGFUL DEATH ACCOUNTABILITY ACT OF 2005

**HON. MAJOR R. OWENS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 28, 2005*

Mr. OWENS. Mr. Speaker, it is altogether fitting and appropriate to commemorate Work-

ers' Memorial Day this year by introducing the "Workplace Wrongful Death Accountability Act of 2005." I am very pleased to join my colleague from New Jersey, Senator JON CORZINE, in introducing this bill aimed at saving workers lives. Senator CORZINE and I sponsored identical legislation in the 108th Congress. The bill would amend the Occupational Safety and Health (OSH) Act in 3 simple ways. First, it would stiffen sanctions for worker deaths caused by an employer's willful violations of basic safety standards. Under current law, the sanction is a mere misdemeanor which carries a fine of no more than \$10,000 and a prison sentence of no more than 6 months. As the first librarian to become a Member of the U.S. House of Representatives, I can vouch for the fact that some local jurisdictions seek harsher penalties for failure to return a library book.

This bill would make corporate manslaughter a felony offense, with the possibility of sentences that might range from no time behind bars to up to 10 years in prison. Upon a second offense, the maximum sentence could be doubled. Second, this bill would double the penalty for illicitly warning of an OSHA inspection, from a maximum of 6 months to up to 2 years in prison. Third, my bill would increase the penalty for lying to or misleading OSHA, from a 6 months maximum to 1 year's imprisonment. In all three instances, fines would be decided upon in accordance with title 18 of the U.S. code, which is standard criminal law and longstanding criminal procedure.

The reason we need this bill is very clear: the Federal Government is itself guilty of gross negligence in efforts to deter corporate manslaughter. As David Barstow of the New York Times noted last year in his remarkable investigative series on worker deaths in this country, OSHA has an astonishing 20 year track record of failure to seek criminal prosecution when an employer's willful and flagrant safety violations lead to worker deaths. It isn't that the Department of Labor (DOL) doesn't know how to seek criminal sanctions. Anyone who visits the DOL website will see an exhaustive list of prosecutions undertaken by staff in the Office of Labor Management Standards (OLMS). From 2002 to 2005, the prosecutions sought by OLMS fill up 111 pages, typewritten with a very small font. The difference is that these are prosecutions against union officials for a vast array of minor offenses. Contrast that with OSHA's failure to seek criminal prosecution in a staggering 93 percent of worker death cases, investigated by the agency over the past 2 decades. These deaths were caused by an employer's gross negligence or willful safety violations. In other words, the employer placed a profit motive far, far above any concern over peoples' lives. In some instances, the same unscrupulous employer's pattern of egregious safety violations has caused multiple worker deaths over several years. In such cases, a misdemeanor penalty has no deterrent value whatsoever.

Holding certain local union officials criminally liable for minor instances of alleged record falsification versus handing employers who commit corporate manslaughter an automatic "get out of jail free" pass is a real statement of values and priorities. We hear a great deal from this Republican Administration about

the importance of affirming a "culture of life." Well, American workers deserve a "culture" of workplace safety that ensures they will live to go home at night and return to their jobs the following morning. When Congressman TOM DELAY was asked by an Associated Press (AP) reporter last year about the "Workplace Wrongful Death Accountability Act," he replied: "The worst thing you could do—telling a small business person that they could go to prison over an OSHA violation." But such ridicule and exaggeration offends any surviving relative of a victim of corporate manslaughter.

Every year, between 5000 and 6000 workers are killed-on-the-job, often in gruesome circumstances due to inexcusable safety violations. This bill is aimed at holding such grossly negligent employers accountable. It will not result in either wanton or reckless prosecutions of hapless employers. My bill is NOT a radical departure from current law by any stretch of the imagination. This bill simply corrects a glaring oversight in federal law and policy: the inability to pursue a felony conviction of an employer who willfully causes the deaths of workers. It is a moderate adjustment that is long overdue.

Review of a recent case in my own Congressional district illuminates the reasons why this bill needs to be enacted. Less than a week ago, the contractor and owner of Big Apple Development and Construction (Big Apple) pleaded guilty to causing the death of a worker by failing to comply with OSHA regulations requiring employers to provide employees with fall protection equipment. The death of one worker, Angel Segovia, and serious injury to two others occurred, when a building collapsed on Fort Hamilton Parkway in May of 2004. Big Apple was a repeat safety violator, having already received OSHA citations in 2001 for failing to provide its workers with fall protection equipment. When Big Apple's owner and contractor, Kang Yeon Lee, is sentenced for causing the death of Angel Segovia, he faces a maximum of 6 months in prison under the current OSHA statute. But Mr. Lee also pleaded guilty to mail fraud in connection with concealing his failure to pay workers the prevailing wage on a federally funded, U.S. Postal Service construction project. And for mail fraud, Mr. Lee faces a maximum sentence of 20 years in prison and a maximum fine of \$250,000 for each count of conviction. The contrast between a six month prison term for killing a worker and a twenty-year prison term for mail fraud could not be starker. Enactment of the "Workplace Wrongful Death Accountability Act of 2005" would value workers' lives and correct such a disgraceful discrepancy.

In closing, Mr. Speaker, I would like to note for the record that the "Wrongful Workplace Accountability Act of 2005" is included in its entirety in a broader bill I am also introducing today, the "Protecting America's Workers Act." I urge my colleagues to respect the lives of all American workers and ask them to join me in sponsoring both these bills. Millions of hard-working Americans and their families deserve nothing less than such essential protection.

HONORING THE CONTRIBUTIONS OF MELANIE TAYLOR, DEDICATED SPANISH TEACHER OF COMAL ISD

### HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to recognize Melanie Taylor for her outstanding contributions to education in the Comal Independent School District of Texas.

Ms. Taylor earned her Bachelor's degree in music from Texas State University in San Marcos. But having fallen in love with the Spanish language and culture at an early age, Melanie Taylor began teaching elementary Spanish in Mexico. Ever since then, Melanie has passed on her passion for Spanish and her appreciation of the Hispanic culture to every student she teaches.

Melanie Taylor has been teaching for 18 years and is now a Spanish teacher for seventh and eighth-graders at the Spring Branch Middle School in Comal ISD. She loves the "middle school attitude," and understands how to connect with her students during their crucial preteen years.

Melanie Taylor summarizes her teaching philosophy this way: "I work hard to teach them [students] not to settle for mediocrity and I try to lead them to become caring and kind individuals who will treat each other with respect and dignity. I try to be a good listener and to help them look for the best solutions to their problems using strong moral values." She has also been dedicated to helping Hispanic students gain a greater sense of pride in their heritage, and their roots. In her efforts, she has helped students understand the advantage and necessity of being multilingual in an increasingly competitive world.

Besides teaching Spanish, Taylor also is the sponsor of Spring Branch Middle School's Fellowship of Christian Athletes (FCA). Through FCA, she and more than 100 student leaders plan socials and conduct community service projects. For her many achievements as an educator, Taylor received the Comal ISD's 2004 KENS5 TV Station ExCEL Teacher of the Year Award.

I am honored to have had the opportunity to recognize such a dedicated teacher and community leader in Comal ISD.

EXPRESSING CONDOLENCES TO THE FAMILY AND FRIENDS OF MERLIN ROSEMEIER

### HON. MARK R. KENNEDY

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. KENNEDY of Minnesota. Mr. Speaker, I rise today to offer condolences to the family and friends of Merlin Rosemeier, who passed away April 10, 2005. Merlin was a close family friend and served as best man in my father's wedding. He is survived by his wife, Ramona, nine children, 26 grandchildren, three great-grandchildren and one sister.

Merlin was born in Dublin Township in 1928. He attended school in Murdock and at the University of Minnesota. He married Ramona

Traxler on August 29, 1953, and settled into the family farm. He was a hard working dairy farmer and in 2002, his family celebrated owning a century farm.

He was also a very faithful man. As a member of Sacred Heart Catholic Church, he served as the choir director and I fondly remember him using his deep, rich voice to sing "Ave Maria," at church services. He said Grace before every meal and always added a Hail Mary for the crops.

Mr. Speaker, Merlin was a family man whose positive, friendly spirit resonated to those around him. Nothing ever broke his kind and gentle soul. He will be dearly missed by all those that knew and loved him and his memory will live on in their hearts.

IN HONOR OF LAUREL MIDDLE SCHOOL

### HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to the Laurel Middle School located in Laurel, Delaware. Founded in 1683, Laurel is a small town in southwestern Delaware that is home to over 800 buildings listed on the National Historic Record. Named for the trees that run along the town's Broad Creek, Laurel is now home to over 3,800 Delawareans. In addition to many historic buildings and beautiful recreation areas, the town is also home to a public school that has proven itself as one of the best in the United States: Laurel Middle School.

I would like to personally thank Dawn Williams, a 7th grade science teacher at Laurel Middle School. Ms. Williams has made me aware of the strides taken by the school. As a benchmark for public education in Delaware, Laurel Middle School has been recognized with a Delaware State Testing Program rating of "superior." This recognition was made possible through the hard work of students, teachers and school officials. While it was the students who scored exceptionally on the test, it is the support system, led by Principal Julie Bradley along with parents, teachers, and administrators, who make it possible to achieve a superior rating.

Most notably, this achievement occurred in a poverty area school, showing that hard work and strong community support can yield outstanding results, regardless of income level. I am grateful for the work of everyone involved and am excited to see the youth of Laurel grow up to become the leaders of tomorrow. Once again Mr. Speaker, I commend the efforts of Laurel Middle School and look forward to following their future achievements.

RECOGNIZING THE 100TH ANNIVERSARY OF THE INGHAM COUNTY COURTHOUSE

### HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to recognize the 100th anniversary

of the dedication of the Ingham County Courthouse. Construction of the courthouse began in April 1902 and the cornerstone was laid May 5, 1903. The original structure was finally completed in late 1904 at a cost of \$96,678.00 and was dedicated on May 9, 1905. In 1971, the courthouse was placed on the National Register of Historic Places.

The Ingham County Courthouse is a monument to the mechanical and architectural knowhow of the people of Michigan. Designed by a Lansing architect and constructed by Michigan contractors, the century-old Ingham County Courthouse stands tall as a testament to quality of Michigan workmanship.

Mr. Speaker, our Nation's historic places are a vital link to our past and mark the progress of our Nation. I ask my colleagues to join me in recognizing the importance of these historic buildings and to celebrate the 100th anniversary of the Ingham County Courthouse.

PAYING TRIBUTE TO MARY LOU FRENCH, INGHAM COUNTY COMMUNITY NEWS 2005 VOLUNTEER OF THE YEAR

### HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 28, 2005

Mr. ROGERS of Michigan. Mr. Speaker, I rise to honor the accomplishments of Mary Lou French, the Ingham County, Michigan Community News 2005 Volunteer of the Year. Mary Lou French retired as a teacher, but still teaches about 700 school children every year about life on a farm. Mary Lou, who has maintained her active community involvement even into retirement, is best described in an article in the Ingham County Community News, written by Editor Rachel S. Greco:

MASON, MI—She isn't at the head of a classroom anymore but Mary Lou French, retired after 28 years with Mason schools, still finds solace when teaching.

At her 40-acre farm, French plays hostess to nearly 700 school children from Ingham County every fall. They take a trip there to learn a first-hand lesson in farm life. The pre-school through second grade groups are introduced to pumpkins, animals and hayrides.

"I had a hard time leaving teaching," said French, of her decision to invite students to her property. "It's just another way I get back to teaching."

In truth, French has been just as active in the community in retirement as she was before it. Her volunteer efforts are evident at the First Presbyterian Church of Mason—where she serves as a Women's Association leader and helps to organize various events and dinners.

But those efforts also extend out into the community, where French has served on the Mason Relay for Life committee since the event's local start, and in the schools where she volunteers to tutor young students in reading and writing.

All this activity is the sum of French's retirement, and she wouldn't have it any other way.

"I've been gone from home all my life," she explained. "I don't like staying at home so this fills the time."

This year, French will become the sixth recipient of the Agnes Comer Volunteer of the Year award, given annually by the staff of the Ingham County Community News.